

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

YESHIVA GEDOLA NA'OS YAAKOV, INC.,
a New Jersey nonprofit corporation, and
ZEBRA HOLDINGS II LLC, a New Jersey
Limited Liability Company,

Plaintiffs,

vs.

TOWNSHIP OF OCEAN, N.J. and ZONING
BOARD OF ADJUSTMENT OF THE
TOWNSHIP OF OCEAN,

Defendants.

Civil No. 3:16-00096 (FLW) (DEA)

**DECLARATION OF
DONNA M. JENNINGS, ESQ.**

DONNA M. JENNINGS, under penalty of perjury under the laws of the United States of America, does hereby declare and certify pursuant to 28 U.S.C. § 1746 that the following statements are true and correct:

1. I am an attorney at law of the State of New Jersey and a shareholder of the law firm of Wilentz, Goldman & Spitzer, P.A., attorneys for plaintiffs Yeshiva Gedola Na'os Yaakov, Inc. and Zebra Holdings II LLC. I have personal knowledge of the facts stated herein.
2. On or about November 3, 2015, I received the land use file from the Plaintiffs' prior attorney, Jennifer Krimko, Esq. of Ansell, Grimm & Aaron.

3. Attached as Exhibit A is a true and correct copy of comments on the website <http://www.facebook.com> to an article which ran in the Asbury Park Press newspaper on January 11, 2016 entitled "Yeshiva Group Files Suit Against Ocean Township."
4. Attached as Exhibit B is a true and correct copy of public comments to an article which ran on the website <http://www.NJ.com> on January 11, 2016 entitled "Yeshiva Sues Shore Town."
5. Attached as Exhibit C is a true and correct copy of excerpts of web pages contained within the "No Dorm on Logan Road" grouping on the website <http://www.facebook.com>.
6. Attached as Exhibit D is a true and correct copy of excerpts from the Township of Ocean's Land Development Ordinance, as amended, available at:
http://www.oceantwp.org/filestorage/6368/6372/Comprehensive_Land_Development_Ord_2012.pdf and last accessed on January 29, 2016.
7. Attached as Exhibit E is a true and correct copy of the Zoning Map of the Township of Ocean, obtained from the files of Plaintiffs' former counsel.
8. Attached as Exhibit F is a true and correct copy of a satellite view of 1515 Logan Road, Ocean Township, New Jersey and its environs, obtained from Google Maps, and which is labeled as follows:
 - (A) The subject property located at 1515 Logan Road
 - (B) The Wanamassa Gardens apartment Complex
 - (C) Master Secure Storage self-storage facility
 - (D) David A Dahrouge Park
 - (E) Retail establishments

- (F) Sunset Diner
- (G) Residential homes
- (H) Post office
- (I) Wells Fargo Bank
- (J) Ocean Plaza shopping center
- (K) Seven-Eleven & Sunset Farm Market

9. Attached as Exhibit G is a true and correct copy of the Report of James W. Higgins Associates, Planning Consultant to the Township of Ocean Zoning Board of Adjustment dated May 13, 2015 signed by James W. Higgins, P.P.
10. Attached as Exhibit H is a true and correct copy of the Agenda for the meeting of the Township of Ocean Zoning Board of Adjustment held on May 12, 2011.
11. Attached as Exhibit I is a true and correct copy of the Minutes of the regular meeting of the Township of Ocean Zoning Board of Adjustment held on October 14, 2010.
12. Attached as Exhibit J is a true and correct copy of a letter circulated by objectors regarding a prior application made on behalf of a Yeshiva that applied to locate within Ocean Township.
13. Attached as Exhibit K is a true and correct copy of a news article titled "Ocean Township, N.J. - After Fierce Opposition Yeshiva Proposal Withdrawn" and attendant comments dated January 31, 2011 and available at <http://www.vosizneias.com/74718/2011/01/31/ocean-township-nj-after-fi/>.

14. Attached as Exhibit L is a true and correct copy of a page excerpted from the “No Dorm on Logan Road” grouping on the website <http://www.facebook.com>. This page is submitted separately from those within Exhibit C to ensure that the full comment is legible.
15. Attached as Exhibit M is a true and correct copy of the Use Variance Application submitted by the Yeshiva Gedola Na’os Yaakov, Inc. to the Ocean Township Zoning Board of Adjustment on June 11, 2014.
16. Attached as Exhibit N is a true and correct copy of an image of the current front of the property located at 1515 Logan Road which I obtained from the website <http://maps.google.com> and a true and correct copy of an architect’s rendering of how the front of the property located at 1515 Logan Road, as submitted to the Ocean Township Zoning Board of Adjustment, would look if the Plaintiff Yeshiva were permitted to locate there.
17. Attached as Exhibit O is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on October 23, 2014.
18. Attached as Exhibit P is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on November 13, 2014.
19. Attached as Exhibit Q is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on December 11, 2014.
20. Attached as Exhibit R is a true and correct copy of the “Resolution of the Zoning Board of Adjustment of the Township of Ocean Denial of Use (D-1) Variance” dated January 6, 2016 denying Plaintiff’s application for a use variance.

21. Attached as Exhibit S is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on February 24, 2015.
22. Attached as Exhibit T is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on September 30, 2015.
23. Attached as Exhibit U is a true and correct copy of a news article titled "Community Torn About Logan Road Dorm" by Lauren Chiaro and public comments thereto featured on the website <http://www.nodormloganroad.wordpress.com> and available at <http://www.nodormloganroad.wordpress.com>.
24. Attached as Exhibit V is a true and correct copy of a redacted email message containing a forwarded email message from Ric Martel regarding the Ocean Township Zoning Board of Adjustment Meeting on September 30, 2015.
25. Attached as Exhibit W is a true and correct copy of a letter circulated by objectors to the Plaintiff's use variance application on or about February 17, 2015 encouraging opponents to attend the February 24, 2015 hearing of the Ocean Township Zoning Board of Adjustment and "Pack the Room."
26. Attached as Exhibit X is a true and correct copy of an excerpt from a webpage from the profile of Tara Manning on the website <http://www.facebook.com>, obtained from the website <http://www.facebook.com>.
27. Attached as Exhibit Y is a true and correct copy of an excerpt from a webpage from the profile of Gino Dellomo on the website <http://www.facebook.com>, obtained from the website <http://www.facebook.com>.

28. Attached as Exhibit Z is a true and correct copy of the “No Dorm on Logan Rd” and attendant public comments and donation records for the fundraising campaign created by Christine Schmitt on the website <http://www.youcaring.com> and available at <https://www.youcaring.com/ocean-township-residents-358710>.
29. Attached as Exhibit AA is a true and correct copy of excerpts from the personal page of Ocean Township Mayor Chris Siciliano at the website <http://www.facebook.com>.
30. Attached as Exhibit BB is a true and correct copy of a photograph of an aerial banner that flew above Loch Arbour Beach obtained from the “No Dorm on Logan Road” group on the website <http://www.facebook.com>.
31. Attached as Exhibit CC is a true and correct copy of a yard sign reading “No Dorm on Logan Road” obtained from the web page <http://www.nj.com>.
32. Attached as Exhibit DD is a true and correct copy of a posting by Paul Mayerowitz on the webpage <http://www.facebook.com/JacksonTownshipWatchdog> obtained from the website <http://www.facebook.com/JacksonTownshipWatchdog>.
33. Attached as Exhibit EE is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on December 1, 2015.
34. Attached as Exhibit FF is a true and correct copy of webpages excerpted from the website <http://www.change.org> featuring an online petition entitled “VOTE "NO" IN THE MATTER OF THE APPLICATION OF YESHIVA GEDOLA NA'OS YAAKOV, INC. FOR PREMISES KNOWN AS LOT 19 IN BLOCK 216 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF OCEAN.” started by Christine Schmitt and available at: <https://www.change.org/p/marianne-wilensky-vote-no-in-the-matter-of-the-application-of-y>

eshiva-gedola-na-os-yaakov-inc-for-premises-known-as-lot-19-in-block-216-on-the-official-tax-map-of-the-township-of-ocean.

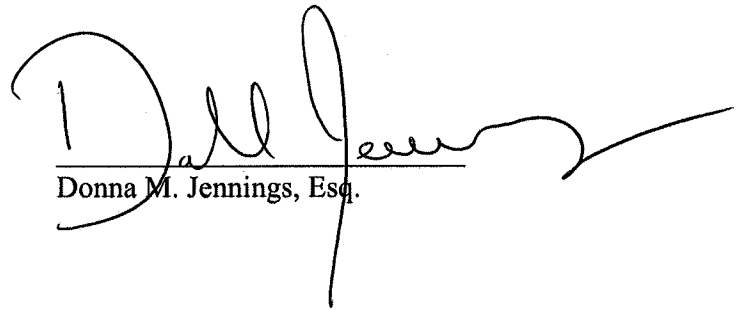
35. Attached as GG is a true and correct copy of a news article from the Asbury Park Press newspaper by Carol Gorga Williams titled "Four teens accused of burglarizing, desecrating yeshiva" dated June 2, 2014 and which is available at <http://on.app.com/1h0ybTI>.
36. Attached as HH is a true and correct copy of a letter dated July 15, 2015 sent by Plaintiff's counsel, Jennifer Krimko, to the Ocean Township Zoning Board of Adjustment regarding Plaintiff's election to bifurcate the proceedings on its use variance application.
37. Attached as II is a true and correct copy of a letter dated July 10, 2015 sent by objectors' counsel John N. Poulos to the Ocean Township Zoning Board of Adjustment regarding Plaintiff's election to bifurcate the proceedings on its use variance application.
38. Attached as JJ is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on July 15, 2015.
39. Attached as KK is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on October 7, 2015.
40. Attached as LL is a true and correct copy of excerpts of the transcript of a public hearing held by the Ocean Township Zoning Board of Adjustment on May 18, 2015.
41. Attached as MM is a true and correct copy of a letter dated November 24, 2015 sent by objectors' counsel John N. Poulos to the Ocean Township Zoning Board of Adjustment regarding Plaintiff's election to bifurcate the proceedings on its use variance application.
42. Attached as NN is a true and correct copy of excerpts from the the Rules of Procedure of the Ocean Township Board of Adjustment.

43. Attached as OO is a true and correct copy of the meeting minutes for the Ocean Township

Zoning Board of Adjustment meeting held on October 14, 2010, obtained from the Ocean

Township's website.

Executed on February 3, 2016



Donna M. Jennings, Esq.